

AO 399 (01/09) Waiver of the Service of Summons

## UNITED STATES DISTRICT COURT

for the

Western District of Michigan

C.C., as Parent and Legal Guardian of Jane Doe

Plaintiff

v.

Marcellus Community Schools, et al.

Defendant

Civil Action No. 1:23-cv-255

## WAIVER OF THE SERVICE OF SUMMONS

To: Elizabeth Abdnour

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 03/15/2023, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 3/17/2023

Nanette Pauley

Printed name of party waiving service of summons

Signature of the attorney or unrepresented party

Mark T. Ostrowski (P49761)

Printed name

Kluczynski, Girtz & Vogelzang  
3033 Orchard Vista Dr SE, Ste 308  
Grand Rapids, MI 49546

Address

Marko@kgvlaw.com

E-mail address

(616) 559-8649

Telephone number

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

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Date:

3/17/2023

Signature of the attorney or unrepresented party

Marcellus Community Schools

Printed name of party waiving service of summons

Mark T. Ostrowski (P49761)

Printed name

Kluczynski, Girtz & Vogelzang  
3033 Orchard Vista Dr SE, Ste 308  
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C.C., as Parent and Legal Guardian of Jane Doe

*Plaintiff*

v.

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*Defendant*

Civil Action No. 1:23-cv-255

## WAIVER OF THE SERVICE OF SUMMONS

To: Elizabeth Abdnour

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

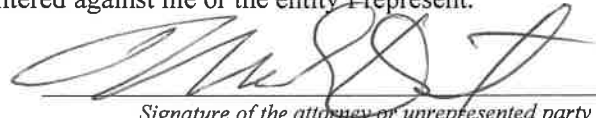
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Date:

3/17/2023

*Signature of the attorney or unrepresented party*

Marcellus Community Schools Board of Education

*Printed name of party waiving service of summons*

Mark T. Ostrowski (P49761)

*Printed name*

Kluczynski, Girtz & Vogelzang  
3033 Orchard Vista Dr SE, Ste 308  
Grand Rapids, MI 49546

*Address*

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(Name of the plaintiff's attorney or unrepresented plaintiff)

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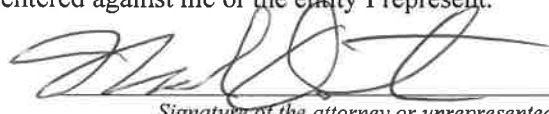
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Date:

3/17/2023



Signature of the attorney or unrepresented party

Sarah Bischoff

Printed name of party waiving service of summons

Mark T. Ostrowski (P49761)

Printed name

Kluczynski, Girtz & Vogelzang  
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Date:

3/17/2023

Signature of the attorney or unrepresented party

Melinda Bohan

Printed name of party waiving service of summons

Mark T. Ostrowski (P49761)

Printed name

Kluczynski, Girtz & Vogelzang  
3033 Orchard Vista Dr SE, Ste 308  
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Date:

3/17/2023

Signature of the attorney or unrepresented party

Tammy Curtis

Printed name of party waiving service of summons

Mark T. Ostrowski (P49761)

Printed name

Kluczynski, Girtz & Vogelzang  
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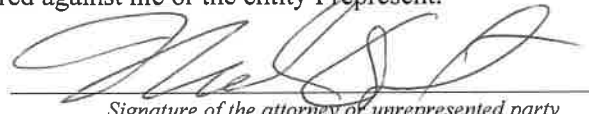
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Date:

3/17/2023



Signature of the attorney or unrepresented party

Henry Essex

Printed name of party waiving service of summons

Mark T. Ostrowski (P49761)

Printed name

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